

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM J. CUNDITT,

Plaintiff,

vs.

HIGH DESERT STATE PRISON, *et al.*,

Defendants.

3:11-cv-00786-LRH-WGC

ORDER

This is a *pro se* civil rights action filed pursuant to 42 U.S.C. § 1983. On November 28, 2011, the court issued an order denying plaintiff's motion to proceed *in forma pauperis* because plaintiff failed to use the approved form and the motion was incomplete. (ECF No. 4.) The court expressly warned plaintiff that his failure to timely comply with this court's order could result in dismissal of this action.

On December 9, 2012, plaintiff filed a new motion to proceed *in forma pauperis*. (ECF No. 5.) This motion is also incomplete. Plaintiff failed to provide a financial certificate signed by an authorized prison officer and failed to provide a statement of his inmate trust fund account for the six months prior to the filing of his application. Accordingly, this entire action is dismissed without prejudice for failure to comply with the court's order.

IT IS THEREFORE ORDERED that plaintiff's motion to proceed *in forma pauperis* (ECF No. 5) is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED without prejudice** for the failure of plaintiff to obey this court's order of November 28, 2011.

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1 **IT IS FURTHER ORDERED** that the clerk shall **ENTER JUDGMENT** accordingly and close
2 this case.

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4 DATED this 26th day of January, 2012.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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